

**Maine Revised Statutes**  
**Title 15: COURT PROCEDURE -- CRIMINAL**  
**Chapter 517: ASSET FORFEITURE**

**§5823. PERFECTING TITLES TO FORFEITED VEHICLES**

**1. Vehicle report.** Any officer, department or agency seizing any vehicle subject to forfeiture under section 5821, shall file a report of seizure with the Attorney General or a district attorney having jurisdiction over the vehicle. This report must be filed at least 21 days from the date of seizure. The report shall be labeled "Vehicle Report" and shall include:

- A. A description of the vehicle; [1987, c. 420, §2 (NEW).]
- B. The place and date of seizure; [1987, c. 420, §2 (NEW).]
- C. The name and address of the owner or operator of the vehicle at the time of seizure; and [1987, c. 420, §2 (NEW).]
- D. The name and address of any other person who appears to have an ownership interest in the vehicle. [1987, c. 420, §2 (NEW).]

The seizing officer, department or agency must make a diligent search and inquiry as to ownership of the vehicle. The filing of a vehicle report is conclusive evidence that a diligent search and inquiry were completed.

[ 1987, c. 420, §2 (NEW) .]

**2. Procedure.** The Attorney General or a district attorney upon receiving the vehicle report shall petition, within 21 days, the Superior Court in the name of the State in the nature of a proceeding in rem to order forfeiture and perfect the State's title to any vehicle subject to forfeiture under section 5821. The proceeding is the same as for forfeited property under section 5822, except that when the owner of the vehicle can not be determined, the court shall:

- A. Order the State, prior to the forfeiture hearing described in paragraph B, to make service by publication as directed by the court pursuant to the Maine Rules of Civil Procedure, Rule 4, except that the publication must be made in a newspaper of general circulation throughout the State; and [1991, c. 461, §3 (AMD).]
- B. Hold a hearing on the petition not less than 2 weeks after all notices required by this section have been given. [1987, c. 420, §2 (NEW).]

The final order of forfeiture by the court under this section perfects the State's right and interest in and title to the vehicle and relates back to the date of seizure.

[ 1991, c. 461, §3 (AMD) .]

**3. Defaced or missing identification numbers.** Any vehicle disposed of under this section that does not have a vehicle identification number or the number is illegible must be issued a special number by the Secretary of State under Title 29-A, section 407.

[ 1995, c. 65, Pt. A, §50 (AMD); 1995, c. 65, Pt. A, §153 (AFF); 1995, c. 65, Pt. C, §15 (AFF) .]

**4. Subsequent actions.** Neither replevin or any other action to recover any interest in any vehicle disposed of under this section may be maintained in any court of this State.

[ 1987, c. 420, §2 (NEW) .]

SECTION HISTORY

1987, c. 420, §2 (NEW). 1991, c. 461, §3 (AMD). 1995, c. 65, §A50 (AMD). 1995, c. 65, §§A153,C15 (AFF).

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